

Maryland Board of Pharmacy

Public Board Meeting – December 20, 2000

The Public Meeting was called to order at 8:35 a.m.

ATTENDANCE:

Commissioners Present: Stanton Ades, President; W. Irving Lottier, Secretary; Melvin Rubin, Treasurer; Commissioners: Ramona McCarthy Hawkins; John Balch; Raymond C. Love, Wayne Dyke; Barbara Faltz Jackson; Laura Schneider, Reverend William E. Johnson, Sr.; Jeanne Furman and Donald K. Yee

Board Counsel: Paul Ballard, Linda Bethman

Board Staff: LaVerne G. Naesea, Executive Director; Michelle Andoll, Pharmacy Compliance Officer; James Slade, Legislative/Regulatory Officer; Tamarra Banks, Network & Information Services; Sharon Demory-Cornish, Personnel Officer; Doris Thomas, Acting Licensing Supervisor, and Sandra A. Hines, Executive Secretary.

Guest: Howard Schiff (MPhA); Catherine Putz (Division of Drug Control); Mike Nicholson (DuPont Pharmaceuticals); Kathryn Lavriha (Barr Labs)

INTRODUCTION

President Ades asked each guest to introduce him or herself.

RECUSALS

There were no recusals of Commissioners due to conflicts of interest.

APPROVAL OF MINUTES

Page #2, first paragraph, "MPHA, MPHS and MSHP" should be: "MPhA, MPhS." Under District II Meeting, third sentence should read "President Ades and the Board."

Dr. Love made a motion for acceptance of the minutes with corrected amendments. Ms. McCarthy-Hawkins seconded the motion, which was passed by the Board.

PRESIDENT/EXECUTIVE COMMITTEE REPORT

2001 Board Seat Vacancies

President Ades reported that the three Board seat terms currently held by Ramona McCarthy-Hawkins, (At Large Designation); Raymond Love, (Acute Care Hospital Designation) and Melvin Rubin, (Independent Designation) would expire in 2001. However, all three are eligible for re-nomination.

Board of Pharmacy Strategic Planning Update

President Ades announced that the Draft Strategic Plan is complete and copies of the Plan are being distributed to Board members. President Ades reported that the Planning Committee would meet with the facilitator, Harry Christiansen, on January 9, 2001.

Ms. Naesea reported that the Planning Committee has broken down into smaller committee groups for "word-smithing," to make the goals, objectives' and strategies developed at the retreat and make them as clear as possible.

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EXECUTIVE DIRECTOR'S REPORT

Attendance Roster

President Ades presented to the Board the attendance roster of Board Commissioners for calendar year January 2000 – November 2000, requested by Roz Goldner as part of the appointment requirements.

Ms. Naesea announced that the roster reflects attendance at the Public Board meetings and not the non-public meetings. The Board determined that the final roster should contain attendance of Board Commissioners who were present during the public or non-public meetings from January – December 2000. Ms. Naesea stated that if any Board member has questions or would like to challenge the report, the records are available for viewing.

University of Maryland Pharmacy School Quarterly Meeting

President Ades reported that he and Ms. Naesea met with representatives from the school and discussed at length several topics such as: the workforce shortage legislation; the technician's function in training; capital expansion of the School of Pharmacy; facilitating licensure of graduates quickly after graduation; improving the mandatory CE requirements the lab exam, and substance abuse issues regarding the younger pharmacist.

President Ades reported that Maryland's clinical faculty members asked colleagues to write a letter of support to Governor Glendening and key committee chairs of the Maryland General Assembly to move the addition to Pharmacy Hall into the FY'02 budget. President Ades shared a memorandum that the Pharmacy School sent to document how adequate building facilities at the school may positively affect the pharmacist shortage, student moral, and recruitment efforts.

Boards and Commissions In-Service Training Seminar

Ms. Naesea reported that Ms. McCarthy-Hawkins, Mr. Rubin and herself, attended the Boards and Commissions In-Service Training Seminar held November 29, 2000. Ms. Naesea gave a presentation at the training, which was very well received. A copy of the In-Service Training Manual, prepared by the Attorney General's Office, was distributed to the Board. Ms. Naesea stated that the manual is a very good reference for the Board in terms of Board members' responsibilities and liabilities.

DHMH Leadership Retreat

Ms. Naesea reported that even though she was unable to attend the Leadership Retreat in October, she was able to receive a copy of the proceedings, including a summary of the presentations, the materials that were distributed to Retreat participants and next steps. A copy of the information was distributed to the Board.

Maryland Health Care Commission (MHCC) User Fee Issue

Ms. Naesea reported that the Commission has proposed legislation to increase its user fee assessment cap from \$8.25 to \$10 million. User fee for health care practitioners will stay at the reduced rate of \$34.00 biennially and \$17.00 annually for FY 2001 and FY 2002. Ms. Naesea recommends that the Board write a letter to MHCC requesting clarification on how this would affect the Board of Pharmacy.

Preliminary Review of Sunset

Ms. Naesea reported on the comments from the Board's original draft of the Sunset Review prepared by the Department of Legislative Services. The Department of Legislative Services has recommended that the Board undergo full evaluation next year.

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Board Committee Staffing

Ms. Naesea provided the Board with a list of proposed Board of Pharmacy Committees and the responsible staff. Ms. Naesea has asked that the Board look at the list of various committees to see if changes, additions or deletions are needed. Commissioner Love suggested that the Disciplinary Committee Description include language similar to the following: “will develop guidelines for disciplinary and corrective action and ensure that equitable procedures and actions are followed...”

Expense Report

Ms. Demory-Cornish announced that the Board should continue completing the Expense Report as they normally would with two exceptions: (1) do not complete the computation under the daily total column on the Expense Report; and (2) leave the pink copy attached. Ms. Demory-Cornish will complete the computation under the daily total column. Ms. Demory-Cornish reported that the pink copy is kept in the Board’s logbook for record keeping. Ms. Demory-Cornish stated that she would make a copy of the final Expense Report if one were needed.

Staffing Updates

Ms. Demory-Cornish announced that Ms. Gale’s conversion is now complete. The Administrative Specialist II position received a permanent PIN number with the State of Maryland, effective December 13, 2000.

Ms. Demory-Cornish reported that the notice of an opening for the Licensing Supervisor position has been posted. The posting will run from December 13-27, 2000. Ms. Demory-Cornish hopes to begin interviewing by January 10, 2001 and to have the position filled by January 23, 2001.

Ms. Demory-Cornish reported that interviews for the Public Relations’ Education and Training position are scheduled for December 27-28, 2000. Ms. Naesea, Ms. Faltz-Jackson and Ms. Banks will interview for this position. There are twelve interested candidates for this position.

BOARD COUNSEL REPORT

Mr. Ballard presented to the Board the revised regulation for “Disclosure for Compelling Public Purpose.” Mr. Ballard informed the Board that Section A, 4 has been removed. Ms. Faltz-Jackson made a motion for acceptance of the regulation. Ms. McCarthy-Hawkins seconded the motion, which was passed by the Board.

LEGISLATIVE OFFICER REPORT

Crisis in Pharmacy Workforce Legislation

Mr. Slade reported that the Board still has not heard anything from the Governor’s office.

General Assembly Dates

Mr. Slade indicated that the General Assembly of Maryland’s Official Dates of Interest are included in the Board packets. The General Assembly 2001 session convenes January 10, 2001 at noon; January 17, 2001, the Governor will introduce the budget bill; February 2, 2001, Senate Bill introduction date; February 9, 2001, House Bill introduction date; and April 9, 2001, the General Assembly will adjourn.

Mr. Slade reported that 10.30.20 (Drug Inventory) regulations will be published on December 29, 2000; that 10.34.16 (Portable Drug Kits) will be published on January 26, 2001, and that Regulations 10.34.20 (Electronic Transmissions) will become effective on December 25, 2000.

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Universal Drug Program Card

Mr. Rubin reported that Delegates from NABP passed six resolutions at NABP's 96th Annual Meeting in Nashville, Tenn., held May 6-10, 2000, including Resolution No. 96-3-2000, Title: Standardized Pharmacy Benefit Cards. Mr. Rubin asked the Board to endorse the requirement for use of a standard benefit card format. Dr Love made a motion to endorse the concept of NABP approving the use of the standard pharmacy benefit card. Ms. Faltz-Jackson seconded the motion which was passed by the Board.

Physician Assistant Prescribing

Mr. Rubin reported on the delegation of authority for prescribing and administering controlled dangerous substances, prescription drugs, or medical devices. Mr. Rubin said that the regulations specify that on prescriptions written by the PA, the name of the PA and the name and address of the supervising MD must be included. Mr. Rubin moved that the Board policy be that pharmacists are required to obtain and record that information on oral prescriptions also. Ms. McCarthy-Hawkins seconded the motion, which was passed by the Board.

Guest presenter(s): - None

COMMITTEE REPORTS

Pharmacy Practice Committee

Dr. Love reported that the Pharmacy Practice Committee did not meet during the month of December. The next scheduled meeting will be held on January 3, 2001 at 4:00 p.m. Dr. Love stated that anyone interested in attending is invited.

Medication Error Task Force

Mr. Yee reported that the Medication Error Task Force was charged with identifying and prioritizing strategies to guide practitioners and permit holders in redesigning medication systems and developing additional approaches to reduce the incidence and severity of medication errors in this State. The Task Force utilized two approaches to answer this charge: (1) Establishing a broad-based representation by soliciting input from a variety of groups and stakeholders in the pharmacy community, including retail-chain, independent community, health system, and academia along with representation from the FDA and USP; and (2) Assisting the Board of Pharmacy in developing implementation strategies for those options the Board wishes to initiate by developing an Action Plan and proposed implementation schedule, and assisting with drafting language for guidelines and any needed regulations.

The Task Force made some adjustments to the draft educational requirements. The Task Force made some adjustments accessing the wording to the draft recommendations. Ms. Furman reported that there are no action items required by the Board at this point. The second set of Task Force recommendations, are expected in early 2001.

Unlicensed Personnel/Technicians

Mr. Rubin reported that he will appear on the Maryland Pharmacist Association's mid-year meeting panel discussion of unlicensed personnel February 3-4, 2001 at the University of Maryland College Park. After the panel discussion there will be an open discussion.

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NTI Drugs Meeting with Del. Elliott

Mr. Rubin reported that he, Ms. Furman, and Mr. Slade met with Delegates Elliott, Bozman, and Sophocleus, in Annapolis to discuss possible changes to the NTI list. Delegate Elliott began the discussion by reading his reasons for not wanting the list to be reduced or eliminated. The general consensus was that the Board should not ask Secretary Benjamin to make any changes on the NTI list.

Outsourcing

Dr. Love moved to approve the Outsourcing Regulations as presented at the last meeting. Ms. Faltz-Jackson seconded the motion, which was passed by the Board.

Licensing Committee

Reciprocity

Mr. Dyke presented the names of 11 reciprocity candidates: Mathew Byun; Kevin Chapple; Sai-Ho Jason Chui; Bridget Fowler; Steven Gische; Shubhangi Mehta; Alla Paskovaty; Patricia Sullivan; Elise Talkowski; Brad Wilson, and Delisa Winston. All have satisfied the requirements except Mathew Byun; Elise Talkowski, and Delisa Winston, who is pending the oral competency portion. Mr. Dyke moved that the candidates be approved for licensure. The motion was seconded by Ms. Faltz-Jackson and passed by the Board.

Lab Exam

Mr. Dyke reported to the Board that the Licensing Committee met on November 30, 2000 to review pilot questions for the revised practical examination. The committee will reconvene on December 28, 2000. Mr. Dyke announced that the Board sent letters stating that the wet lab exams are held quarterly.

Mr. Dyke announced that all wet lab participants from June 2000 that participate in the Pilot Program, will be eligible to receive a \$100 honorarium. Mr. Dyke announced that a letter will be sent to all wet lab candidates who participated last June.

Mr. Dyke announced that the Pilot Program would include a standardized written test instead of the wet lab exam. Also, a testing service might be used to eliminate security concerns.

Continuing Education Requirements

Mr. Dyke reported that the Licensing Committee would address the Medication Errors Task Force's recommendations on CE requirements and respond at the next Board meeting.

Report on Internet Page Revision

Mr. Dyke suggested to the Board that the licensing web site page should contain the Reciprocity List, Lab dates and appropriate information for permit holders and pharmacy manufactures.

PEAC (Pharmacists Education and Assistance Committee)

Mr. Rubin reported to the Board that the PEAC meeting was cancelled due to a power outage. No date has been scheduled for the next meeting.

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Public Relations Committee

Ms. Faltz-Jackson announced that the Board will be interviewing for a Public Relations person. The Board will be purchasing a brochure stand for the canteen stand at the Metro Building. The material available on the stand will give consumers in many areas an opportunity to know what the Board of Pharmacy is doing and what is required of consumers.

Innovations in American Government Program

Ms. Faltz-Jackson reported to the Board about the Innovations in American Government Grant Program. Ms. Faltz-Jackson felt that the Board should consider applying for an award during the next year.

Media Campaign

Ms. Faltz-Jackson reported that the Reeves Agency may be closing due to a Chapter 7. The Reeves Agency is a Baltimore-based advertising and public relations firm the Board has a contract with for its media campaign.

Consumer-Related Activities

Ms. Faltz-Jackson reported that the Board would begin researching the AIDS population to target for next year's media campaign.

Technology and Automation Report

Ms. Banks reported that the Technology and Automation Committee is testing an Internet Pharmacist License Renewal System for NABP. The system will be available to any State Pharmacy Board.

President Ades adjourned the Public Board meeting at 11:15 a.m.